



consumer register

A supplement to Consumer News

Vol. 6, No. 4, Feb. 15, 1976

Register results

The following actions have been taken by Federal agencies. They have all been summarized in CONSUMER REGISTER as proposals. The extent of consumer comment is reported when such information is available.

- **National Highway Traffic Safety Administration (NHTSA)** has set Oct. 26, 1976, as the effective date for its school bus seating safety standard. The original proposal required that school bus passenger seats be equipped with seat belt anchorages at each seating position. However, comments on this part of the proposal resulted in NHTSA deciding against including this requirement in the standard at present. Details—*Federal Register*: Jan. 28, page 4016; July 30, 1974, page 27585. CONSUMER REGISTER: Sept. 1, 1974.

- **Consumer Product Safety Commission (CPSC)** has republished its bicycle safety regulations to include several amendments. Effective date remains May 11, 1976, except for certain amendments that will become effective Nov. 13, 1976. Details—*Federal Register*: Jan. 28, page 4144; Nov. 13, 1975, page 52815. CONSUMER REGISTER: Dec. 1 & July 15, 1975.

Consumer representation plans (continued)

March 8 is new deadline for comments on 17 agencies' consumer representation plans that appeared in Nov. 26, 1975, *Federal Register*. The original deadline of Feb. 24 has been extended because the hearings scheduled for Washington, DC, will not be held until Feb. 23.

Details—*Federal Register*: Feb. 9, 1976, page 5691; Nov. 26, 1975, page 55092. Send comments to addresses listed in CONSUMER REGISTER: Jan. 1.

TV for the deaf

March 10 is deadline for comments on **Federal Communications Commission's (FCC)** proposal to permit consumers with impaired hearing to "hear" television programs by using a decoding device attached to their television receiver.

The decoding system, which was developed by Public Broadcasting Service (PBS), would make captions available to the deaf without adversely affecting the majority of the viewing audience that does not need or want captions on TV screens.

PBS asked FCC to establish transmission standards for closed captioning for the deaf. PBS estimated that captioning a one-hour program would cost the producer of the show about \$1,000.

Decoders, if manufactured in quantity, may cost consumers about \$100 each. Decoders would print dialog or messages at the bottom of the TV screen—much like captions on silent movies.

This proposal is in addition to a concurrent proposal that would require captioning of emergency information for the deaf. In 1970, FCC requested TV licensees to air emergency information—such as storms & flooding—visually as well as aurally, but because of limited compliance with that request, FCC is proposing mandatory captioning. This captioning would be visible on all TV sets tuned to the station transmitting the emergency information & would not require any special decoder.

Unlike the first proposal requiring the purchase of a decoding device for consumers who want to see various programs, the mandatory emergency captions would not cost deaf consumers any money.

Details—*Federal Register*: Feb. 10, page 5834; Dec. 31, 1975, page 60080. Send comments to the Office of the Secretary, Federal Communications Commission, Washington, DC 20554.

Sweetened spreads (continued)

April 9 is new deadline for comments on **Food & Drug Administration's (FDA)** proposal to establish a common or usual

name for fruit flavored sweetened spreads that do not conform to the existing standards of identity for fruit jams & jellies. National Preservers Association (NPA), the organization that originally petitioned FDA to establish a name for such products, said it needed more time to comment because FDA's proposal "differs significantly from that contained in NPA's petition."

Details—*Federal Register*: Jan. 30, page 4600; Nov. 11, 1975, page 52616. CONSUMER REGISTER: Dec. 15, 1975. Send comments to Hearing Clerk, Food & Drug Administration, 5600 Fishers Lane, Rockville, MD 20852.

Bicyclist safety

April 21 is deadline for comments on **National Highway Traffic Safety Administration's (NHTSA)** proposal to protect bicycle riders. Proposed standard would be implemented by the states & would apply to person operating bicycles, child & adult tricycles & other wheeled, pedal-powered vehicles. Proposal also includes standards for motor assisted cycles that can be operated solely by the pedals—such as Mopeds—as long as the motor is not on.

NHTSA originally asked for ideas & recommendations on bicyclist safety in October 1974 [CONSUMER REGISTER: Nov. 15, 1975], & after reviewing the comments, NHTSA concluded there was confusion over the meaning of certain terms & some difference of opinion among groups that have an interest in bicyclist safety.

NHTSA is concerned only with the safety of the bicyclist. The safety of the bicycles themselves is under **Consumer Product Safety Commission's (CPSC)** jurisdiction, & safety of bicycle lanes & paths is under **Federal Highway Administration's (FHWA)** jurisdiction.

Proposed standard would require each state to develop a bicyclist safety program & would specify minimum performance levels for all states in areas such as accident reporting & traffic rules of the road.

Detail—*Federal Register*: Jan. 22, page 3317; Oct. 15, 1974, page 36864. CONSUMER REGISTER: Nov. 15, 1974. Send comments to Docket Section, National Highway Traffic Safety Administration, 400 7th St. SW, Washington, DC 20590. Refer to Docket No. 74-35; Notice 3.

Care labeling

April 26 is deadline for comments on **Federal Trade Commission's (FTC)** proposal to extend its care labeling requirements to household furnishings & leather & suede clothing. (FTC would continue to exclude such items as gloves, hats, shoes, "decorative items," piece goods remnants & thread from care labeling coverage.)

In addition, the proposed rule would require manufacturers to (1) give more specific care instructions than they do now; & (2) provide alternate care instructions (for example, if a garment is labeled "dry clean only," the label would have to give washing instructions also if washing is at all possible).

Care labeling for most clothes & for yard goods has been required since July 1972. In April 1974, FTC asked for comments from consumers & industry on how well the care labeling rule is working [CONSUMER REGISTER: June 15, 1974, summarized the types of questions FTC wanted answers to].

This new proposal is based primarily on the 9,000 comments FTC received—& most of the comments came from consumers.

Here is what FTC learned about the success of its care labeling rule, along with suggestions for changes:

- Ninety percent of the commenters found that permanent care labels are, in fact, attached to articles of clothing as required (but 75% said labels are not furnished to consumers who buy yard goods).

- Eighty-five percent wanted the rule extended to cover items other than clothing: draperies, curtains, upholstered furniture, linens, carpets & rugs.

- Ninety-four percent wanted leather & suede wearing apparel included in the care labeling rule.

- Fifty-four percent thought care instructions were more cautious than they had to be, & 93% of these commenters wanted alternative care instructions.

- Seventy-nine percent wanted a uniform reference for terms used in care instructions. (FTC's proposed rule provides for a glossary of terms developed by American Society for Testing & Materials.)

Details—*Federal Register*: Jan. 26, page 3747. Send comments to Special Assistant Director for Rulemaking, Federal Trade Commission, Washington, DC 20580. Identify as "Care Labeling Comment."

Eyeglasses

May 3 is deadline for comments on **Federal Trade Commission's** (FTC) proposed rule that would let sellers of prescription eyeglasses (or contact lenses or frames & mountings) & related services (1) give information about the price & availability of those products; & (2) advertise their products & services regardless if state laws or association codes prohibit such advertising.

In addition to the proposed rule, FTC says it might require persons who examine eyes to give a written prescription to consumers—instead of making the glasses or sending the prescription to an optician—if evidence shows these consumers are prevented from price shopping because of not having a written prescription.

Proposal would not force the sellers to advertise these products & services—it would just protect those who choose to make such information available.

FTC says it has reason to believe that lack of price information for eyeglasses prevents or hinders price competition among

retailers & causes consumers to pay more for glasses & related services than they would if they had adequate price information. FTC says it believes some low-income consumers cannot afford glasses because they do not know where to shop for the best buy.

Some of the questions FTC would like comments on are:

- To what extent do price considerations influence the purchasing decisions of potential consumers of eyeglasses?

- Will consumers be misled by price advertising since price quotations may not necessarily refer to lenses & frames of identical composition & quality?

- Will eye care practitioners, in an effort to be price competitive, institute cost-cutting techniques that will adversely affect the quality of materials & services?

Details—*Federal Register*: Jan. 16, page 2399. Send comments to Assistant Director for Rulemaking, Federal Trade Commission, Washington, DC 20580. Identify comments as "Advertising of Ophthalmic Goods & Services Comment."

Drained weight (continued)

May 5 is new deadline for comments on **Food & Drug Administration's** (FDA) proposal to require label declarations of drained weight on canned fruit & vegetables. National Canners Association asked that the comment period be extended.

Details—*Federal Register*: Jan. 28, page 4021; Nov. 7, 1975, page 52172. CONSUMER REGISTER: Nov. 15, 1975. Send comments to Hearing Clerk, Food & Drug Administration, 5600 Fishers Lane, Rockville, MD 20852.

Quality assurance for drugs

Effective Jan. 1, **Defense Dept. & Food & Drug Administration** (FDA) formally agreed that FDA would approve all medical supplies used by Defense to assure their high quality.

Details—*Federal Register*: Jan. 27, page 3887.

School buses

In addition to school bus seating safety standard (see Register Results), **National Highway Traffic Safety Administration** (NHTSA) has issued safety standards on rollover protection, body joint strength & emergency exit requirements. These requirements will become effective Oct. 26, 1976.

NHTSA is proposing an amendment to the emergency exit requirement that would permit the use of a rear window emergency exit & a side door emergency exit in certain cases as an optional means of compliance with the emergency exit requirements.

Details—*Federal Register*: Jan. 27, pages 3871, 3872, 3874 & 3878.

This listing, prepared by Marion Q. Ciaccio, is intended only as summary coverage of selected *Federal Register* items deemed of particular interest to consumers, & it does not affect the legal status or effect of any document required or authorized to be published pursuant to Section 5 of Federal Register Act as amended, 44 U.S.C. 1505. *Federal Register* is published Monday through Friday (except Federal Government holidays) by **Office of the Federal Register, National Archives & Records Service, General Services Administration**. Subscription is \$5 a month or \$50 a year & may be ordered from **Superintendent of Documents, Government Printing Office**, Washington, DC 20402. Superintendent also sells copies of *Federal Register* for 75¢ each. Free copies of *Federal Register* may be available in libraries.

For you

These forms are for you to use, if you wish, in commenting on any Federal Agency proposal summarized in CONSUMER REGISTER. Of course, if you cannot get your comments on the front & back of a form, feel free to continue your comments on additional paper.

Send comment forms to addresses listed in the summaries.

CONSUMER NEWS is publishing these forms in cooperation with Food & Drug Administration (FDA).

Rate Register Milk

• The President has vetoed a bill that would have established milk price supports at 85% of parity from the present official 80% parity price. However, the cost of producing milk has gone up since the Secretary of Agriculture established the 80% parity on Oct. 1. Consequently, the dairy farmer is receiving only 77% of parity price. "Parity" is a price that will give farmers the same purchasing power they had in the base period (1910-1914—regarded as great years for farmers—and this is adjusted to the most recent 10-year period).

The Secretary of Agriculture—by law—must announce the support level at somewhere between 75% & 90% of parity price. Before April 1, the Secretary will determine what that price will be "in order to assure an adequate supply of pure & wholesome milk to meet current needs, reflect changes in cost of production, & assure a level of farm income adequate to maintain productive capacity sufficient to meet anticipated future needs ... Such price support shall be provided through purchases of milk & the products of milk."

The present price is 77% of parity. The Secretary of Agriculture has promised to set the support level at 80% for the next marketing year, which begins April 1.

The President said the 85% ceiling would cost the government too much money & would result in increased dairy prices for consumers.

The Council on Wage & Price Stability (CWPS) is opposed to increased price supports & warned "that any increase in the support level for milk is

(Continued next page)

Clip this form, fill in blanks, write your comments & mail to agency noted in CONSUMER REGISTER item.

This is my opinion on (title of item in CONSUMER REGISTER) _____

by (name of agency) _____

published in *Federal Register* on (date) _____ on (page) _____

Name _____ Date _____

Street _____

City _____ State _____ Zip _____

(over)

Clip this form, fill in blanks, write your comments & mail to agency noted in CONSUMER REGISTER item.

This is my opinion on (title of item in CONSUMER REGISTER) _____

by (name of agency) _____

published in *Federal Register* on (date) _____ on (page) _____

Name _____ Date _____

Street _____

City _____ State _____ Zip _____

(over)

Clip this form, fill in blanks, write your comments & mail to agency noted in CONSUMER REGISTER item.

This is my opinion on (title of item in CONSUMER REGISTER) _____

by (name of agency) _____

published in *Federal Register* on (date) _____ on (page) _____

Name _____ Date _____

Street _____

City _____ State _____ Zip _____

(over)

Rate Register

(continued)

likely to have a significant inflationary impact & impose substantial costs on consumers of dairy products."

Planes

• On Jan. 29, Civil Aeronautics Board (CAB) approved 1% fare increases for all domestic air travel, effective Feb. 1. However, some airlines either decided not to go along with the allowed 1% increase or else postponed the increase. For example, Eastern Airlines postponed the 1% increase until March 1 & then filed for a 2% increase effective March 1. If CAB approves the 2% increase, Eastern may also add the 1% that was already approved.

In addition, American Airlines, Air West, Trans World Airlines & United Airlines filed for a 2% increase effective March 1; Western asked for a 2% increase effective March 5; & Braniff asked for 2% increase effective March 10.

CAB says it is unusual for some airlines to forego authorized increases.

• Civil Aeronautics Board (CAB) is reviewing comments it has received on a proposal that would require airlines to file with CAB a schedule showing the commissions the airlines pay to travel agents. It is not expected that the proposed rule would directly affect the price consumers would have to pay for their tickets. CAB's Office of the Consumer Advocate & **Transportation Dept.** (DOT) think the requirement would be a good idea. **Justice Dept.**, on the other hand, is opposed on the grounds that it would stifle competition.

Mail

• Council on Wage & Price Stability (CWPS) has urged the **Postal Rate Commission** (PRC) to consider the possibility of ending the monopoly **Postal Service** (PS) has on letter-handling. CWPS said competition "could lead to greater economic efficiency & might well lead to greater postal efficiency, including less rapidly rising postal labor costs & could induce innovation & technological change in the provision of postal services, resulting in better services & lower costs."

